

JAN 31 2012

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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. 27-11375
	)	
Case No. 39576	)	JOINT STATUS REPORT RE:
_____	)	MOTION FOR ACCOUNTING

In accordance with the Court's Scheduling Order and Order Setting Status Conference the undersigned government parties respectfully submit this Joint Status Report.

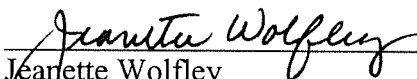
One issue remained to be resolved in connection with the State of Idaho's Motion for Accounting -- whether *de minimis* domestic and stockwater water rights diverting from the Blackfoot River prior to January 1, 1990 are entitled to the protections of Paragraph 27-11375.x.d of the 1996 *Fort Hall Consent Decree*. The *Fort Hall Consent Decree* and the 1990 Fort Hall Indian Water Rights Settlement

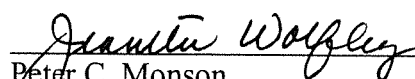
Agreement do not specifically address how such rights are to be treated and estimates of the diversion volumes associated with such rights were not prepared at the time. Accordingly, the parties requested time to undertake the technical work necessary to come up with an estimate.

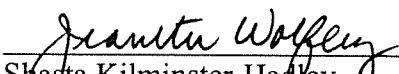
A consultant to the State of Idaho assessed the extent of the *de minimis* domestic and stock uses to inform our discussions. The State's consultant provided all the members of the technical representatives for the Tribes and United States with his findings and the calculations have been reviewed. The parties agree that the magnitude of the diversion volumes associated with these rights are not significant and should be considered *de minimus* and are entitled to the protections of Paragraph 27-11375.x.d of the *Fort Hall Consent Decree*. These domestic and stock use rights will not be counted toward the 45,000 acre-feet per year from the Blackfoot River.

Dated this 27th day of January, 2012.

Respectfully submitted,


Jeanette Wolfley
Counsel for Shoshone-Bannock Tribes

 for
Peter C. Monson
Counsel for the United States
Authorized
via email
1/27/12

 for
Shasta Kilminster-Hadley
Counsel for the State of Idaho
Authorized
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1/27/12

CERTIFICATE OF SERVICE

I certify that on January 27, 2012, I served true and correct copies of the foregoing JOINT STATUS REPORT RE: MOTION FOR ACCOUNTING as follows:

via First Class U.S. Mail, prepaid:

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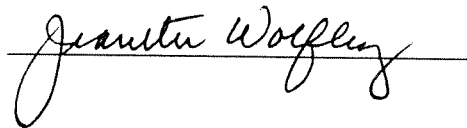
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A handwritten signature in cursive script, reading "Jeanette Woffley", is written over a horizontal line.